

**REMARKS**

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested. Claims 7 and 9 have been amended. Claim 9 has been amended only to place this claims in a condition for allowance, as acknowledged by the Examiner. Claims 1-11 are pending and under consideration. This amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because the amendment does not significantly alter the scope of the claims and places the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures (M.P.E.P.) sets forth in Section 714.12 that “any amendment that would place the case either in condition for allowance or in better form for appeal may be entered.” Moreover, Section 714.13 sets forth that “the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified.” The M.P.E.P. further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

**I. Rejections under 35 U.S.C. § 102**

In the Office Action, at page 2, claims 7-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tomura et al. (U.S. Patent No. 5,256,955).

Tomura et al. does not discuss or suggest:

first communication terminals configured to electrically communicate with the mobile device, wherein the first charging terminals are longer than the first communication terminals, and

when the mobile device is attached to the charging communication-adaptor, the first communication terminals make a contact with second communication terminals of the mobile device after the first charging terminals make a contact with second charging terminals of the mobile device,

as recited in amended claim 7. In other words, the first communication terminals of claim 7 are configured to *electrically communicate* with the communication terminals of a mobile device. In contrast, Tomura et al., as relied on by the Examiner and as shown in Figs. 2-3, merely provides convex portions 22 on the adaptor upper case 12 that receive complimentary concave physical

portions 56 of the mobile device to help hold the mobile device in the adaptor in use environments where movement is likely, such as in a vehicle. These convex portions 22 provide *only a mechanical communication* with the mobile device and cannot, in any way, be considered to be electrical communication terminals, as recited in claim 7. Therefore, claim 7 patentably distinguishes over Tomura et al. Accordingly, withdrawal of this § 102(b) rejection is respectfully requested.

Claim 8 depends directly from independent claim 7, and includes all the features of claim 7, plus additional features that are not discussed or suggested by the reference relied upon. Therefore, claim 8 patentably distinguishes over the reference relied upon for at least the reasons noted above. Accordingly, withdrawal of this § 102(b) rejection is respectfully requested.

## **II. Rejections under 35 U.S.C. § 103**

In the Office Action, at pages 2-3, claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomura et al.

As discussed above, none of the cited prior art discusses or suggests all of the features of claim 7, so that claim 7 patentably distinguishes over the cited prior art. Claim 11 depends directly from claim 7 and includes all the features of claim 7, plus additional features that are not discussed or suggested by the reference relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

## **III. Allowable subject matter**

In the Office Action, at pages 4-5, claims 9-10 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 9 has been rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Thus, it is submitted that claim 9 is in a condition suitable for allowance.

Claim 10 depends directly from claim 9, which has been rewritten to be allowable, as discussed above. Thus, it is submitted that claim 10 is in a condition suitable for allowance.

Applicants appreciate the Examiner's indication that claims 1-6 are allowed.

## **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the

application is in condition for allowance. An early action to that effect is courteously solicited.

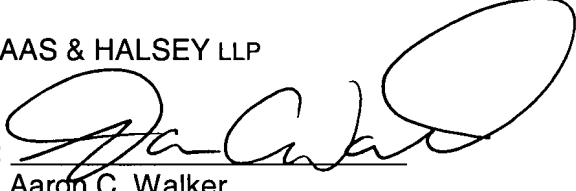
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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